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10/065,527	10/25/2002	Carl Michael Dennison	BLD920010034US2	2144
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EXAMINER HUNTSINGER, PETER K				
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

BILL@CWPETERSON.COM
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Office Action Summary

Application No.

10/065,527

Applicant(s)

DENNISON ET AL.

Examiner

Peter K. Huntsinger

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/18/10 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

5. Claim 1 recites "inserting visual feedback into the file in memory." The Applicant's original disclosure fails to describe that visual cue objects or visual feedback is inserted into the file as opposed to inserting the visual cue objects or visual feedback into the document image. While the Applicant's original disclosure on pages 3-4, paragraph 14 states that "the plug-ins of the present invention insert visual feedback directly into the source document", this statement does not expressly, implicitly, or inherently support that visual cue objects or visual feedback are inserted into the file. Claim 9 includes similar limitations.
6. Claim 5 includes limitations for inserting visual cue objects in said file and removing visual cue objects from said file. The Applicant's original disclosure fails to describe inserting or removing visual cue objects from a file. Claim 13 includes similar limitations.
7. Claim 6 recites "said print job ticket is created when the markers are removed." The Applicant's original disclosure fails to describe creating a print job ticket when markers are removed. Claim 14 includes similar limitations.
8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
9. Claim 1-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
10. Claim 1 recites the limitation "the specific operations" in lines 23-24. There is insufficient antecedent basis for this limitation in the claim.

11. Claim 6 recites the limitation "the markers" in line 5. There is insufficient antecedent basis for this limitation in the claim. Claim 14 includes similar language.

Claim Objections

12. Claims 1 and 9 are objected to because of the following informalities: For claim 1, line 18 should be replaced with "~~creating~~ creates an amended document". Line 21 should be replaced with "changes to said print job ticketing parameters are included in". Line 26 should be replaced with "printing said amended document responsive to said print job ticket". Claim 9 includes similar language. Appropriate correction is required.

Claim Rejections - 35 USC § 103

13. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

14. Claims 1, 3-9 and 11-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston Patent 6,614,454, and further in view of Lahey Patent 5,999,945 and Hansen Patent 6,407,820.

Referring to **claims 1 and 9**, Livingston '454 discloses a method comprising:
opening a document viewing application (Figs. 3A and B, col. 1-2, lines 56-67, 1-10);

opening an original document in said document viewing application, said original document being in a file in memory (col. 2, lines 11-36, the computer implemented printer control system includes memory configured to provide an operating system and operative to store files representing at least one document to be printed);

displaying said original document (col. 5, lines 38-53, print preview image 68 of Fig. 3A shows placement of the three staples 69);

inserting into the original document display a plurality of visual cue objects corresponding to print job parameters in said original document, the display indicating application of said print job parameters to said original document (col. 5, lines 38-53, print preview image 68 of Fig. 3A shows placement of the three staples 69);

inserting visual feedback into the file in memory, inserting said visual feedback responsive to user interactions to amend said original document, indicating changes by visual cue objects displayed, wherein including said changes in said file creates an amended document (col. 5, lines 6-53, when a user selects "Staple this Job Using" in Fig. 3A, the print preview image 68 shows the selected page as it will appear when it is printed);

removing said visual feedback from the amended document (col. 5, lines 6-27, when a user deselects "Staple this Job Using" in Fig. 3A, the staples displayed on print preview image 68 will be removed), any corresponding changes to said print job parameters are included in print job settings for the amended document, removing said visual feedback responsive to performing the specific operations (col. 5, lines 38-53, the

print preview image 68 shows the selected image as it will appear when it is printed [i.e. selected print settings are applied to the printed document]]).

Livingston '454 does not disclose expressly printing the amended document responsive to a print job ticket.

Lahey '945 discloses print job ticketing parameters (col. 5, lines 46-50, the job ticket maintains information on print attributes of the print job);

forwarding said amended document and said print job ticket to a printer (col. 8-9 lines 61-67, 1-13, the user can submit the job ticket to the InfoPrint MPC server 6 for printing); and

printing said amended document responsive to said print job ticket (col. 5, lines 46-50, the job ticket maintains information on print attributes and the location of the print files which comprise the print jobs).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to utilize a job ticket to store print settings. The motivation for doing so would have been to efficiently store print settings in a widely used format.

Livingston '454 does not disclose expressly including in the document viewing application a visual job ticketing plug-in.

Hansen '820 discloses including in the document viewing application at least one visual job ticketing plug-in providing a visual job ticketing interface (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

At the time of the invention, it would have obvious to a person of ordinary skill in the art to provide a job ticketing plug-in in a document viewing application. The motivation for doing so would have been to allow enhancements and updates to be incorporated into the viewing application in a simple and efficient manner and without requiring recompilation of the main program code which implements the viewing application. Therefore, it would have been obvious to combine Lahey '945 and Hansen '820 with Livingston '454 to obtain the invention as specified in claims 1 and 9.

Referring to **claims 3 and 11**, Livingston '454 discloses wherein the specific operation is initiating a print ("Print" of Fig. 3A, col. 5, lines 17-20).

Lahey '945 discloses said print job being created responsive to initiating (col. 8-9 lines 61-67, 1-13, the user can submit the job ticket to the InfoPrint MPC server 6 for printing).

Hansen '820 discloses said at least one visual job ticketing plug-in (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

Referring to **claims 4 and 12**, Livingston '454 discloses wherein said step of inserting visual cues objects further includes inserting a marker to each of the plurality of visual cue objects, each said marker not being displayed, and wherein said step of removing said visual feedback further includes locating and removing markers in said file (col. 5, lines 38-53, print preview image 68 of Fig. 3A shows placement of the three staples 69 [It is inherent that the program of Livingston needs to track of whether the

option for staples has been selected or not. A register or variable present in the program code indicates the selection of the user and is an unseen marker. The selection or deselection of the "Staple this Job Using" button would require locating the register or variable to record the result.)).

Hansen '820 discloses said at least one visual job ticketing plug-in (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

Referring to **claims 5 and 13**, Livingston '454 discloses wherein said step of inserting visual cues objects further includes maintaining a list of markers to each of the plurality of visual cue objects inserted in said file (col. 5, lines 20-27, as is shown in Fig. 3A of Livingston, the option of stapling is provided sequentially is a list format. The user is able to visible view the list and determine which staples that are desired to be removed) and wherein said step of removing said visual feedback further includes referencing the list and identifying the markers to the plurality of visual cue objects to be removed from said file (col. 5, lines 6-27, when a user deselects "Staple this Job Using" in Fig. 3A, the staples displayed on print preview image 68 will be removed).

Hansen '820 discloses said at least one visual job ticketing plug-in (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

Referring to **claims 6 and 14**, Livingston '454 discloses wherein said document viewing application is a document editor, said visual feedback includes feedback for document edits (Figs. 3A and B, col. 1-2, lines 56-67, 1-10).

Hansen '820 discloses wherein said at least one visual job ticketing plug-in is a set of visual job ticketing plug-ins (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

Lahey '945 discloses creating said print job ticket when the markers are removed (col. 8-9 lines 61-67, 1-13, the user can submit the job ticket to the InfoPrint MPC server 6 for printing).

Referring to **claims 7 and 15**, Livingston '454 discloses applying certain of the print job ticketing parameters to all pages of the document file responsive to said interactions ("Apply changes to: All Pages" of Fig. 3B).

Hansen '820 discloses said set of visual job ticketing plug-ins (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

Referring to **claims 8 and 16**, Livingston '454 discloses applying certain of the print job ticketing parameters to selected pages of the document file responsive to said interactions ("Apply changes to: All Pages" of Fig. 3B, The changes are shown to apply to selecting all pages).

Hansen '820 discloses said set of visual job ticketing plug-ins (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

15. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston U.S. Patent 6,614,454, Lahey Patent 5,999,945 and Hansen Patent 6,407,820 as applied to claim 1 above, and further in view of Moore U.S. Patent 6,880,124.

Referring to **claims 2 and 10**, Livingston '454 discloses removing from the amended document, for printing to be performed on the amended document, at least one of the plurality of visual cue objects (staples 69 of Fig. 3A, col. 5, lines 38-39) and performing the printing ("Print" of Fig. 3A, col. 5, lines 17-20). When the user prints the document, the staples displayed on print preview image 68 showing where the staples will appear are not be printed and must be removed prior to printing. Livingston '454 does not disclose expressly the specific operation of saving.

Moore '124 discloses wherein the specific operation is a save operation saving said amended document to storage for subsequent forwarding to print (col. 7, lines 12-18, can be configured to automatically save the communication to a database when the communication is printed).

At the time of the invention, it would have been obvious for a person of ordinary skill in the art to automatically save a document when printing. The motivation for doing

so would have been to create a backup file for printed documents in case the user's file is not printed correctly or further copies are desired. Therefore, it would have been obvious to combine Moore '124 with Livingston '454 to obtain the invention as specified in claims 2 and 10.

16. Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston U.S. Patent 6,614,454, Lahey Patent 5,999,945 and Hansen Patent 6,407,820 as applied to claims 1 and 9 above, and further in view of Koppolu Patent 6,268,924.

Referring to **claims 17 and 19**, Livingston '454 discloses wherein said step of inserting visual cue objects further includes displaying the plurality of visual cue objects, but does not disclose expressly the print preview being a thumbnail.

Koppolu '924 discloses a print preview being a thumbnail (col. 6, lines 27-37).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a print preview utilizing a thumbnail graphic. The motivation for doing so would have been to utilize a space saving image format. Further, a thumbnail file is standard format well known in the art. Therefore, it would have been obvious to combine Koppolu et al. with Livingston '454 to obtain the invention as specified in claims 17 and 19.

17. Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Livingston U.S. Patent 6,614,454, Lahey Patent 5,999,945 and Hansen Patent

6,407,820 as applied to claims 6 and 19 above, and further in view of Koppolu Patent 6,268,924.

Referring to **claims 18 and 20**, Livingston '454 discloses wherein said step of inserting visual cue objects further includes displaying the plurality of visual cue objects, and monitoring the print preview for the current page selection (col. 5, lines 39-44).

Hansen '820 discloses said at least one visual job ticketing plug-in (col. 13, lines 20-49, the desktop 302 is preferably structured as a plug in architecture) (col. 12, lines 28-61, print tickets are independently are independently visually represented on the display by the workflow management software).

Livingston '454 does not disclose expressly the print preview being a thumbnail.

Koppolu '924 discloses a print preview being a thumbnail (col. 6, lines 27-37).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to provide a print preview utilizing a thumbnail graphic. The motivation for doing so would have been to utilize a space saving image format. Further, a thumbnail file is standard format well known in the art. Therefore, it would have been obvious to combine Koppolu '924 with Livingston '454 to obtain the invention as specified in claims 18 and 20.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Peter K. Huntsinger/
Examiner, Art Unit 2625

/David K Moore/
Supervisory Patent Examiner, Art Unit 2625